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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,586	12/12/2003	Valeri Atamaniouk	NOKM.078PA	1728

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EXAMINER	
WON, MICHAEL YOUNG	
ART UNIT	PAPER NUMBER
2155	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/735,586	ATAMANIOUK, VALERI	
	Examiner	Art Unit	
	MICHAEL Y. WON	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 May 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is in response to the Appeal Brief filed May 22, 2008.

2. Claims 1-15 have been examined and are pending with this action.

3. In view of the Appeal Brief filed May 22, 2008, PROSECUTION IS HEREBY REOPENED. A new rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31. A new notice of appeal fee and appeal brief fee will not be required for applicant to appeal from the new Office action. Any appeal brief filed on or after September 13, 2004 must comply with 37 CFR 41.37.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over anticipated by Colson et al. (US 6,708,217) in view of Shen et al. (US 7,050,408.

As per **claim 1**, Colson teaches a communication system optimized for multipart responses, the communication system comprising:

a client adapted to request content from the communication system (see col.4, lines 35-41: "each of the messages indicating a particular content type which the device is capable of rendering");

a proxy coupled to receive the request for content and adapted to access the communication system for the requested content (see Fig.2, #220 and col.7, lines 11-14: "added to an existing proxy"); and

a server coupled to the proxy to provide the requested content (see Fig.2), wherein the proxy is adapted to provide a single part response to the client, the single part response including an indicator to signal that a subsequent multipart response (see col.2, lines 19-27: "multipart/mixed", "multipart/parallel", "multipart/alternative", "multipart/digest") that is related to the single part response will be sent to the client (see col.2, lines 4-13: "The first part is a header describing the returned document, and the second part is the document itself").

Colson does not explicitly teach the request for content includes an indicator that a multipart response is desired for the client.

Shen teaches request for content including an indicator that a multipart response is desired for the client (see col.2, lines 46-51: "a message identifier that uniquely

identifies the multi-part message"; and col.4, lines 4-11: "requests transmission of the multi-part message").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Colson in view of Shen so that the request for content includes an indicator that a multipart response is desired for the client. One would be motivated to do so because Colson teaches that each request includes a message that indicates a particular content type which the device is capable of rendering (see col.4, lines 35-41).

As per **claim 2**, which depends on claim 1, Colson further teaches wherein the request for content comprises a Hyper Text Transfer Protocol (HTTP) request having a request header (see col.4, lines 26-29: "document request may be generated as a HyperText Transport Protocol (HTTP) message")

As per **claim 3**, which depends on claim 2, Colson further teaches wherein the request header includes the indicator that a multipart response is desired (see col.4, lines 35-41: "each of the messages indicating a particular content type which the device is capable of rendering").

As per **claim 4**, which depends on claim 1, Colson further teaches wherein the single part response comprises a Hyper Text Transfer Protocol (HTTP) response having a response header (see col.2, lines 11-12: "The first part is a header describing the returned document").

As per **claim 5**, which depends on claim 4, Colson further teaches wherein the response header includes the indicator that a multipart response will be subsequently

transmitted (see col.2, lines 4-13: "typically returns a requested document to the browser as a two-part transmission" & lines 19-27: "HTTP header preferably uses the content type").

As per **claim 6**, Colson teaches a method for multipart response optimization, comprising:

generating a first request for content (see col.4, lines 35-41: "each of the messages indicating a particular content type which the device is capable of rendering");

generating a first response to the first request for content, the first response including a multipart response capability (see col.2, lines 19-23: "When the response includes multiple documents or document parts having multiple content types, then the HTTP header preferably… indicate that a multipart message with data in more than one is being sent");

generating a second request for content by the requestor (see col.4, lines 38-39: "each message"); and

generating a second response to the second request for content, wherein the second response includes a format that is indicative of the multipart response capability indicator and includes particular multiple parts of content for the client associated with the second requests for content (see col.2, lines 19-23: "When the response includes multiple documents or document parts having multiple content types, then the HTTP header preferably… indicate that a multipart message with data in more than one is

being sent"). (**NOTE:** performing the same function more than once does not render the invention novel)

Colson does not explicitly teach the first request includes a multipart response expectation indicator that indicates a client generating the first request is capable of receiving a response with multiple parts of content.

Shen teaches first request including a multipart response expectation indicator that indicates a client generating the first request is capable of receiving a response with multiple parts of content (see col.2, lines 46-51: "a message identifier that uniquely identifies the multi-part message"; and col.4, lines 4-11: "requests transmission of the multi-part message").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Colson in view of Shen so that the first request includes a multipart response expectation indicator that indicates a client generating the first request is capable of receiving a response with multiple parts of content. One would be motivated to do so because Colson teaches that each request includes a message that indicates a particular content type which the device is capable of rendering (see col.4, lines 35-41).

As per **claim 7**, which depends on claim 6, Colson further teaches wherein a lack of multipart response capability is signaled by an absence of a multipart response capability indicator (see col.4, lines 35-41: "each of the messages indicating a particular content type which the device is capable of rendering").

As per **claim 8**, which depends on claim 7, Colson further teaches wherein the second request for content is one of a plurality of parallel requests for single part content (see Fig.2 and col.4, lines 35-41: "sending, from the one or more devices on which the plurality of content renderers are executing").

As per **claim 9**, which depends on claim 6, Colson further teaches wherein support for the multipart response capability, is signaled by a multipart response capability indicator (see col.4, lines 35-41: "each of the messages indicating a particular content type which the device is capable of rendering").

As per **claim 10**, which depends on claim 9, Colson further teaches wherein the second request for content is a single request for multipart content (see claim 6 rejection above).

As per **claim 11**, Colson teaches a mobile terminal wirelessly coupled to a network which includes a proxy coupled to the network, the mobile terminal comprising:

a memory capable of storing at least a multipart header module (see col.10, lines 33-35: "using a caching technique");

a processor coupled to the memory and configured by the multipart header module to generate content requests (see col.4, lines 35-41: "each of the messages indicating a particular content type which the device is capable of rendering"); and

a transceiver configured to facilitate a content response exchange with the proxy (see Fig.2 and col.5, lines 58-61: any type of computing device, connected to a wireless network"), wherein the multipart header module is further configured to search the content response for a multipart capability indicator and receive content that includes

particular multiple parts of content in response to the existence of the multipart capability indicator in the content (see col.7, line 57-col.8, line 14: "After locating the entry…").

Colson does not explicitly teach having a multipart response expectation indicator that indicates the terminal is capable of receiving a response with multiple parts of content.

Shen teaches having a multipart response expectation indicator that indicates the terminal is capable of receiving a response with multiple parts of content (see col.2, lines 46-51: "a message identifier that uniquely identifies the multi-part message"; and col.4, lines 4-11: "requests transmission of the multi-part message").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Colson in view of Shen by implementing having a multipart response expectation indicator that indicates the terminal is capable of receiving a response with multiple parts of content. One would be motivated to do so because Colson teaches that each request includes a message that indicates a particular content type which the device is capable of rendering (see col.4, lines 35-41).

As per **claim 12**, which depends on claim 11, Colson further teaches wherein existence of the multipart capability indicator in the content response precludes generation of parallel content requests from the processor (subjective: see col.4, lines 27-45).

As per **claim 13**, Colson teaches of a computer-readable storage medium having instructions stored thereon which are executable by a mobile terminal for requesting optimized multipart response handling in a network by performing steps comprising:

receiving a content response to the content request (see col.2, lines 19-23: "When the response includes multiple documents or document parts having multiple content types, then the HTTP header preferably… indicate that a multipart message with data in more than one is being sent");

examining the content response for a multipart capability indication (see col.7, lines 45-col.8, line 14: "upon determining that the returned document is multi-modal…");

precluding transmission of parallel content requests when the multipart capability indication exists within the content response (see col.10, lines 57-65: "checks to see whether it hosts any content renderers capable of handling particular content types delivered… If not, then this processing is complete"); and

receiving content that includes particular multiple parts of content in response to the existence of the multipart capability indicator (see col.2, lines 19-23: "When the response includes multiple documents or document parts having multiple content types, then the HTTP header preferably… indicate that a multipart message with data in more than one is being sent").

Colson does not explicitly teach supplying a multipart expectation indicator in a content request that indicates the mobile terminal is capable of receiving a response with multiple parts of content.

Shen teaches supplying a multipart expectation indicator in a content request that indicates the mobile terminal is capable of receiving a response with multiple parts of content (see col.2, lines 46-51: "a message identifier that uniquely identifies the multi-part message"; and col.4, lines 4-11: "requests transmission of the multi-part message").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Colson in view of Shen by implementing supplying a multipart expectation indicator in a content request that indicates the mobile terminal is capable of receiving a response with multiple parts of content. One would be motivated to do so because Colson teaches that each request includes a message that indicates a particular content type which the device is capable of rendering (see col.4, lines 35-41).

As per **claim 14**, Colson teaches a proxy coupled to a network to detect multipart content requests, the proxy comprising:

means for receiving a first content request (see col.4, lines 61-67: "initiating a HyperText Transfer Protocol (HTTP) request from at least one of the one or more devices");

means for generating a single part response in response to the existence of the multipart response expectation indicator in the first content request (see col.2, lines 4-13: "The first part is a header describing the returned document, and the second part is the document itself"); and

means for sending a multipart response to the client after a second content request is received, the multipart response being related to the single part response (see col.2, lines 19-23: "When the response includes multiple documents or document parts having multiple content types, then the HTTP header preferably… indicate that a multipart message with data in more than one is being sent").

Colson does not explicitly teach means for determining the existence of a multipart response expectation indicator in the first content request that indicates a client sending the first content request is capable of receiving a response with multiple parts of content.

Shen teaches means for determining the existence of a multipart response expectation indicator in the first content request that indicates a client sending the first content request is capable of receiving a response with multiple parts of content (see col.2, lines 46-51: "a message identifier that uniquely identifies the multi-part message"; and col.4, lines 4-11: "requests transmission of the multi-part message").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Colson in view of Shen by implementing means for determining the existence of a multipart response expectation indicator in the first content request that indicates a client sending the first content request is capable of receiving a response with multiple parts of content. One would be motivated to do so because Colson teaches that each request includes a message that indicates a particular content type which the device is capable of rendering (see col.4, lines 35-41).

As per **claim 15**, Colson teaches a computer-readable storage medium having instructions stored thereon which are executable by a proxy by performing steps comprising:

receiving a first content request from a client (see col.4, lines 61-67: "initiating a HyperText Transfer Protocol (HTTP) request from at least one of the one or more devices");

generating a single part response in response to the existence of the multipart response expectation indicator in the first content request (see col.2, lines 4-13: "The first part is a header describing the returned document, and the second part is the document itself"); and

sending a multipart response to the client after a second content request is received, the multipart response being related to the single part response (see col.2, lines 19-23: "When the response includes multiple documents or document parts having multiple content types, then the HTTP header preferably… indicate that a multipart message with data in more than one is being sent").

Colson does not explicitly teach determining the existence of a multipart response expectation indicator in the first content request that indicates the client is capable of receiving a response with multiple parts of content.

Shen teaches determining the existence of a multipart response expectation indicator in the first content request that indicates the client is capable of receiving a response with multiple parts of content (see col.2, lines 46-51: "a message identifier that

uniquely identifies the multi-part message"; and col.4, lines 4-11: "requests transmission of the multi-part message").

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Colson in view of Shen by implementing determining the existence of a multipart response expectation indicator in the first content request that indicates the client is capable of receiving a response with multiple parts of content. One would be motivated to do so because Colson teaches that each request includes a message that indicates a particular content type which the device is capable of rendering (see col.4, lines 35-41).

Response to Arguments

5. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Specifically, the applicant(s) argue Colson "does not expressly or inherently teach a content request that contains an indicator that a multipart response is desired".

For the purpose of advancing prosecution, the examiner has cited Shen et al. (US 7,050,408) to explicitly teach this limitation. Although, Colson clearly teaches that the request is a request for content that the device is capable of rendering (see col.4, lines 35-41), Shen clearly and explicitly teaches requesting specifically for the transmission of a multi-part message.

Furthermore, the applicant(s) argue Colson "does not expressly or inherently teach a single part response that includes an indicator to signal that a subsequent multipart response that is related to the single part response will be sent to the client".

In response, Colson clearly teaches this limitation. Colson teaches of a Web server returning a requested document in two parts. The first part is a header describing that the second part is a multipart message data (see col.2, lines 4-23)

Conclusion

6. For the reasons above, claims 1-15 have been rejected and remain pending.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL Y. WON whose telephone number is (571)272-3993. The examiner can normally be reached on M-Th: 10AM-8PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Won/

Primary Examiner

June 24, 2008